



May 19, 2016

Board of City Commissioners
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, May 24, 2016 at 5:15 p.m. in the Tom Baker Meeting Room, City/County Office Building, 221 North 5th Street, Bismarck, North Dakota.

Invocation will be presented by a Chaplain from the Bismarck Police Department.

Future City Commission meetings are scheduled as follows:

<u>June 14 & 28, 2016</u>	<u>July 14 & 28, 2016</u>	<u>August 9 & 23, 2016</u>
MEETING OF THE CITY BOARD OF EQUALIZATION		

1. Consider request by Assessing Division to appear to present the corrected assessment roll and ask for approval.
2. Adjourn.

Documents: [BOARD OF EQUALIZATION CORRECTION OF ASSESSMENT ROLL.PDF](#)

Proclamation: National Homeownership Month (June 2016)

MEETING OF THE BOARD OF CITY COMMISSIONERS

1. Consider approval of minutes of the meeting on May 10, 2016.
2. CONSENT AGENDA
 - A. Consider approval of expenditures.
 - B. Consider personnel actions.

Documents: [PERSONNEL ACTIONS FROM HR DEPT FOR MAY 24 MEETING.PDF](#)

C. Consider the application for tax abatement for Market Value Reduction.

Documents: [ABATEMENTS FOR 052416 CITY COMMISSION AGENDA.PDF](#)

D. Consider approval of the renewal of the following site authorizations from July 1, 2016 to June 30, 2017.

(No attachments - Information on file with Bismarck City Administration Office)

- Amvets Post 9
- Bismarck Elks Home Association
- Fort Abraham Lincoln Foundation
- Fraternal Order of Eagles #2237
- Horse Race North Dakota
- Light of Christ Catholic Schools
- Mandan Baseball Club, Inc.
- MATPAC Wrestling Club Inc.
- New Salem Civic Club, Inc.
- NoDak Sportsmen's Club
- North Star Lions Club

E. Consider request from Bismarck-Burleigh Public Health to apply for ND Worksite Wellness Award.

Documents: [PUBLIC HEALTH REQUEST TO APPLY FOR ND WORKSITE WELLNESS AWARD.PDF](#)

F. Consider request from City Attorney for approval of a lease amendment with Wright Family Investments, LLC, for their lease of space at the Bowen Avenue Strip Mall (New York Bagels).

Documents: [NY BAGELS LEASE AMENDMENT FOR 052416 BCC MTG.PDF](#)

G. Consider the following requests from the Community Development Department:

- Release of part of a maintenance-access stormwater and drainage easement over Lot 24, Block 3, Whispering Bay Addition.
- Approval of the 2016 Annual Action Plan and Community Development Block Grant (CDBG) Application.

Documents: [EASEMENT RELEASE - LOT 24, BLOCK 3, WHISPERING BAY ADDITION.PDF](#), [APPROVAL OF 2016 ANNUAL ACTION PLAN AND CDBG APPLICATION.PDF](#)

H. Consider the following requests from the Engineering Department:

1. Adopt the Outdoor Seating Right-of-Way Encroachment Policy.
2. Approval of Avery's A.M. Eatery Encroachment and Waiver Agreement at 307 North Third Street.
3. Approval of Dakota Carrier Network Encroachment and Waiver Agreement for CenturyLink to GP South Bismarck.
4. Permission to enter into a Developers Agreement with First International Bank and Trust.

Documents: [OUTDOOR SEATING RIGHT OF WAY ENCROACHMENT POLICY.PDF](#), [AVERYS AM EATERY ENCROACHMENT AND WAIVER AGREEMENT 307 N 3RD ST.PDF](#), [DAKOTA CARRIER NETWORK ENCROACHMENT AND WAIVER AGREEMENT CENTURYLINK TO GP SOUTH BISMARCK.PDF](#), [REQUEST PERMISSION FOR DEVELOPERS AGREEMENT WITH FIRST INTERNATIONAL BANK AND TRUST.PDF](#)

I. Consider request from Event Center for approval of the Emergency Guidelines - Evacuation Plans document.

Documents: [EVENT CENTER EMERGENCY GUIDELINES-EVACUATION PLAN.PDF](#)

J. Consider the following requests relating to Water Improvement District 16-329:

- Resolution Approving Plans and Specifications.
- Authorization to Advertise and Receive Bids.

Documents: [REQUESTS RELATING TO WATER IMPROVEMENT DISTRICT 16-329.PDF](#)

K. Consider introduction of and call for public hearing on Ordinances 6211 to 6214 relating to water and sewer trunk line fees, water and sewer main charges, and storm water charges to be assessed to benefiting property that was outside the city limits at the time of construction.

Documents: [REQUESTS FROM FINANCE DEPT FOR ORDINANCES 6211-6214.PDF](#)

L. Consider request from the Human Resources Department and city staff for approval of the North Dakota Cares Resolution of Support

Documents: [NORTH DAKOTA CARES RESOLUTION OF SUPPORT.PDF](#)

M. Consider request from the Police Department to sell three vehicles through Northland Auto Auction.

Documents: [POLICE DEPT SELL THREE VEHICLES THROUGH NORTHLAND AUTO AUCTION.PDF](#)

N. Consider the following requests from the Public Works Service Operations Department:

1. Permission to purchase Motorola portable and mobile radios for the city under state bid.
2. Correction of bid price reported to the Board regarding Peterson Lawn Service bid for services for the 2016 season.

Documents: [SERVICE OPERATIONS DEPT PURCHASE MOTOROLA RADIOS UNDER STATE BID.PDF](#), [SERVICE OPERATIONS DEPT CORRECTION OF BID PRICE PETERSON LAWN SERVICE 2016 SEASON SERVICES.PDF](#)

O. Consider request from Utility Operations Department for approval of the Professional Services Contract Change Form with KLJ for the Southport Lift Station project for \$2,500.

Documents: [UTILITY OPERATIONS DEPT PROFESSIONAL SERVICES CONTRACT CHANGE FORM WITH KLJ.PDF](#)

P. Addendum Item - Consider letters of intent from the following agencies requesting permission from the city of Bismarck for a grant pass-through partnership:

- CAWS North Dakota
- Central Dakota Forensic Nurse Examiners
- Sanford Health Dakota Children's Advocacy Center
- Youthworks Bismarck

Documents: [CAWS NORTH DAKOTA GRANT PASS THROUGH REQUEST.PDF](#), [CENTRAL DAKOTA FORENSIC NURSE EXAMINERS GRANT PASS THROUGH REQUEST.PDF](#), [SANFORD HEALTH DAKOTA CHILDRENS ADVOCACY CENTER GRANT PASS THROUGH REQUEST.PDF](#), [YOUTHWORKS BISMARCK GRANT PASS THROUGH REQUEST.PDF](#)

REGULAR AGENDA

3. Consider the following requests relating to Street Improvement District 16-507:

- Resolution Receiving Bids.
- PUBLIC HEARING on Resolution of Necessity.
- Resolution Awarding Contract.

(The protest period for this district was extended until Monday, May 23rd. The letter from the Finance Department regarding protests was received Tuesday, May 24th and is attached below.)

Documents: [REQUESTS RELATING TO STREET IMPROVEMENT DISTRICT 16-507.PDF](#), [052416 MEMO FROM FINANCE REGARDING PROTESTS FOR SI 507 UNITS 1 THROUGH 5.PDF](#)

4. Consider the following requests relating to Street Improvement District 16-509:

- Resolution Receiving Bids.
- PUBLIC HEARING on Resolution of Necessity.
- Resolution Awarding Contract.

Documents: [REQUESTS RELATING TO STREET IMPROVEMENT DISTRICT 16-509.PDF](#)

5. PUBLIC HEARING and review by the Board of City Commissioners of the 2016 Transit Operating Grant request.

Documents: [PUBLIC HEARING AND COMMISSION REVIEW OF 2016 TRANSIT OPERATING GRANT REQUEST.PDF](#)

6. PUBLIC HEARING on the request from Dakota Taxi LLC (dba Dakota Taxi) to obtain a new Taxi Cab License.

Documents: [DAKOTA TAXI_TAXI APPLICATION.PDF](#)

7. PUBLIC HEARING on a request from Arnaldo's Inc. to locate a new Class I-1 liquor license at 1032 Airport Road (dba Arnaldo's Mexican Restaurant).

Documents: [ARNALDOS LIQUOR LICENSE APPLICATION.PDF](#)

8. PUBLIC HEARING on a request from Lucky Ducks ND, LLC for a site approval (additional licensed premises) for their new expansion for their F-1 liquor license at 307 N 3rd Street (dba Lucky Duck's Deli & Catering).

Documents: [LUCKY DUCKS.PDF](#)

9. PUBLIC HEARING on Ordinance 6203, zoning ordinance text amendment relating to accessory solar energy systems, initiated by the city of Bismarck.

The Bismarck Planning & Zoning Commission Recommends Approval.

Documents: [ORD 6203.PDF](#)

10. Consider the following requests for Light of Christ Addition, requested by Light of Christ Catholic Schools:

The Bismarck Planning & Zoning Commission recommends approval.

- PUBLIC HEARING on Ordinance 6204 relating to annexation.
- PUBLIC HEARING on Ordinance 6205 relating to zoning change
- PUBLIC HEARING on amendment to the Fringe Area Road Master Plan for Section 9, Hay Creek Township.
- Approval of final plat.
- Approval of Developer's Agreement.

Documents: [LIGHT OF CHRIST ADDITION REQUESTS.PDF](#),
[LOCDEVELOPERAGREEMENT_FINAL05232016.PDF](#)

11. Consider the following requests relating to Promontory Point VI Addition, requested by Lancelot Development, Inc. and Santa Fe, LLP.

The Bismarck Planning & Zoning Commission recommends approval.

- PUBLIC HEARING on Ordinance 6206 relating to annexation of a portion of Promontory Point VI Addition.
- PUBLIC HEARING on Ordinance 6207 relating to zoning change.
- Approval of final plat.

Documents: [PROMONTORY POINT VI ADDITION REQUESTS.PDF](#)

12. Consider the following requests relating to Promontory Point VII Addition, requested by Lancelot Development, Inc. and Santa Fe, LLP:

The Bismarck Planning & Zoning Commission recommends approval.

- PUBLIC HEARING on Ordinance 6208 relating to annexation of a portion of Promontory Point VII Addition.
- PUBLIC HEARING on Ordinance 6209 relating to zoning change.
- Approval of final plat.

Documents: [PROMONTORY POINT VII ADDITION REQUESTS.PDF](#)

13. PUBLIC HEARING on Ordinance 6210 relating to the zoning change for various lots and tracts in south Bismarck, initiated by the city of Bismarck, Phase 5 of 6.

The Bismarck Planning & Zoning Commission recommends approval.

Documents: [ORD 6210_PHASE 5 OF 6.PDF](#)

14. Receive update on noise ordinance.

Staff appearing:

- Anton Sattler, Environmental Health Administrator
- Dan Donlin, Chief of Police

Documents: [PUBLIC HEALTH MEMO REGARDING NOISE ORDINANCE.PDF](#)

15. Consider request from Gateway to Science for an extension of the reversionary clause, referenced in the special warranty deed dated August 21, 2014, until December 2018.

Documents: [GATEWAY TO SCIENCE REQUEST FOR EXTENSION OF DEADLINE.PDF](#)

Addendum Item (#16) - Consider amendment 1 to the January 12, 2016 Engineering Services Agreement with Kadrmas, Lee and Jackson (KLJ) for Maverick Avenue reconstruction/Terminal Boulevard reconstruction.

Documents: [AIRPORT REQUEST AMENDMENT 1 TO 01122016 ESA WITH KLJ FOR MAVERICK AVE_TERMINAL BLVD RECONSTRUCTION.PDF](#)

Addendum Items - Consider the following requests from the Engineering Department:

17. Consider approval of the change orders with Northern Improvement for Water Utility Project 15-113 and Sewer Utility Project 15-62, as part of the North Washington Street Reconstruction Project.

18. Consider request to receive and consider disposition of bids for Highway Construction Project 16-105.

19. Update on North Washington Street closing. *(No attachment)*

Documents: [ENGINEERING CHANGE ORDERS WITH NORTHERN IMPROVEMENT FOR WU15-113 AND SU 15-562 RELATING TO NORTH WASHINGTON STREET RECONSTRUCTION PROJECT.PDF](#), [ENGINEERING REQUEST TO RECEIVE AND AWARD BIDS FOR HC 16-105.PDF](#)

20. Consider other business.
(No attachment)

